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States Government

Department of Energy

Rocky Flats Office

Memorandum

JUN 17 9 50 AM '92

EG&G
ROCKY FLATS PLANT
CORRESPONDENCE C 1701

JUN 15 1992

ERD BKT 6624

Closure of 10CFR Part 1022 Process for Wetlands/Floodplains

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Environmental and Waste Management
EG&G Rocky Flats Inc

This memorandum is a follow up to DOE/RFO memorandum ERD PMP 5480 dated May 15 1992 to EG&G regarding closure of the 10CFR Part 1022 process for wetlands/floodplains. It should be noted that both wetlands and floodplains provide potentially suitable habitat for *Spiranthes diluvialis* (Ute Ladies Tresses) which is listed as threatened under the Endangered Species Act. In addition these areas provide suitable habitat for migratory birds. Therefore although compliance with 10CFR Part 1022 may be completed at a project, EG&G needs to be sure that consultation requirements of the Endangered Species Act, Migratory Bird Treaty Act and Fish and Wildlife Coordination Act have also been completed prior to initiating construction activities etc. Furthermore if a species listed or proposed for listing as either threatened or endangered may be impacted by the project a biological assessment must be conducted as outlined in 50CFR Part 402.12 before a contract is entered into and before construction is begun.

We also request that in the future all consultation requirements of the Endangered Species Act, Migratory Bird Treaty Act and Fish and Wildlife Coordination Act be conducted concurrently and integrated with the appropriate NEPA documentation. This is consistent with 40 CFR Part 1502.25 (CEQ regulations) 50CFR Part 402.06 (Endangered Species Act regulations) and Section 662(b) of the Fish and Wildlife Coordination Act. Examples of RFP NEPA documentation where this was not performed include the IM/IRA/EAs for OU 2 EA for the IM/IRA at OU 1 Solar Evaporation Pond EA New Sanitary Landfill EA and the Standley Lake Diversion Project EA.

With regard to the installation of sediment samplers discussed in DOE/RFO's May 15 1992 memorandum, all applicable statutes and regulations must be complied with prior to initiating construction.

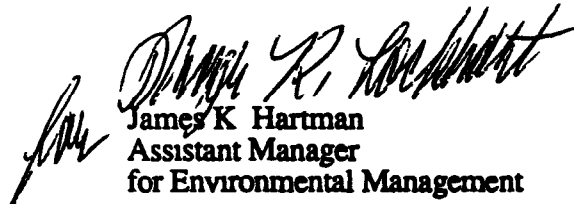
ACTION	
DIST.	MC
BENJAMIN, A	
BERMAN, H S	
BRADY, J A	
BRANCH, D B	
CARNIVAL, G J	
COPP, R D	
CORDOVA, R C	
DAVIS, J G	
EVERED, J E	X
FERRERA, D W	
GOODWIN, R	
HANNI, B J	
HEALY, T J	
HILBIG, J G	
IDEKER, E H	
KERSH, J M	X
KIRBY, W A	
KRIEG, D	
KUESTER, A W	
LEE, E M	
MARX, G E	
MORGAN, R V	
PIZZUTO, V M	
POTTER, G L	
SANDLIN, N B	
SATTERWHITE, D G	
SCHUBERT, A L	
SHEPLER, R L	
SULLIVAN, M T	
SWANSON, E R	
TALLMAN, K G	
W. SON, R B	
W. J. J M	
ZANE, J O	

Nesta	S X
Elmer	R X
McGlinch	X
Moore	W X

CORRESPONDENCE CONTROL
TRAFFICReviewed for Addressee
Co-e Control of RFP

6/17/92

DATE BY

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41RF92
James K. Hartman
Assistant Manager
for Environmental Management

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ERD BKT 6624

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cc
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R Schassburger ERD RFO
B Thatcher ERD RFO
P Powell ERD RFO
M Roy OCC RFO
E Evered EG&G
S Nesta, EG&G
R Flory EG&G
S McGlochin EG&G
W Moore EG&G

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